

HOUSE No. 2401

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia for legislation to provide for an annual payment to cities and towns in lieu of taxes by the Massachusetts Turnpike Authority. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR AN ANNUAL PAYMENT IN LIEU OF TAXES BY THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 13 of chapter 35 of the Acts of 1952 is hereby amended
2 by adding the following new paragraph:—
3 Without limitation of the foregoing, and notwithstanding any
4 contrary provisions of any other general or special law, the
5 Authority is authorized and directed to enter into an agreement
6 with each city and town in which Authority property is located
7 whereby the Authority will make to each city or town annual pay-
8 ments in lieu of taxes. Any such agreement shall provide for
9 annual payments for a period extending at least five years from
10 the date thereof. Such agreements may be amended by the mutual
11 agreement of the respective city or town and the Authority and
12 extended each year to incorporate an additional year or years to
13 the terms of the agreement. In arriving at the agreed upon level of
14 such annual payments or any amendments thereto, the respective
15 city or town and the Authority shall consider: (1) the general level
16 of property taxation in such city or town; (2) the effect of the pro-
17 jects, facilities or activities of the Authority in such city or town;
18 (3) the general economic condition of the users or other persons
19 who pay tolls, rates, fees, rentals or other charges of the
20 Authority; and (4) the needs of the Authority to maintain or
21 improve its facilities or projects, provided, that no such annual
22 payment as agreed upon or any amendments thereto shall exceed

23 in the aggregate for any fiscal year of the Authority the balance of
24 revenues remaining for such fiscal year after payment of all other
25 current expenses of the Authority.